United Nations A/C.3/54/SR.28

General Assembly
Fifty-fourth session

Official Records

Distr.: General
22 November 1999

Original: English

Third Committee

Summary record of the 28th meeting
Held at Headquarters, New York, on Monday, 1 November 1999, at 10 a.m.

Chairman: Mr. Galuška ..... (Czech Republic)

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The meeting was called to order at 10.15 a.m.

Agenda item 112: Promotion and protection of the rights of children *(continued)* (A/54/98, 265, 411, 419 and 430)

1. **Mrs. Brobbey** (Ghana) said that children should be protected from war, hunger, ignorance and exploitation. In practice, the international community had failed to live up to its commitments under the Convention on the Rights of the Child. As indicated by the Special Representative of the Secretary-General for Children and Armed Conflict in his report, strong political will was now needed to launch an "era of application for international norms" (A/54/430, para. 29). Only then might the survival and proper development of children and of future generations be ensured.

2. The Special Representative's recommendations deserved strong support, in particular his appeal to the international business community to refrain from doing business that fuelled war machines (A/54/430, para. 170). The efforts of the United Nations Children's Fund (UNICEF) and the Office of the United Nations High Commissioner for Human Rights to reduce the impact of armed conflicts on children were also welcome. Her delegation also looked forward to a timely finalization of the optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and welcomed Security Council resolution 1261 (1999) on children and armed conflict.

3. Cooperation between law-enforcement agencies must be enhanced to combat the trafficking in and sexual exploitation of children by national and transnational criminal networks. She welcomed the work on a draft optional protocol on trafficking in persons, in the context of the elaboration of a convention on transnational organized crime, and on a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. She also urged Governments to collaborate with the United Nations Educational, Scientific and Cultural Organization (UNESCO) on its international Internet education and safety programme "Innocence in Danger" (A/54/411, para. 7).

4. In regard to juvenile justice, Ghana agreed on the importance of avoiding the revictimization of the child complainant in the judicial process (*ibid.*, para. 10) and of incorporating remedial and preventive strategies into the system. Her Government had, for its part, sought to bring its laws on child rights, justice and welfare into line with the Convention on the Rights of the Child, *inter alia*, by raising the age of criminal responsibility from 7 to 14 years, and prohibiting customary practices involving servitude.

5. As to efforts to combat the worst forms of child labour, Ghana welcomed the adoption by the International Labour Organization (ILO) of Convention No. 182; funding provided to UNICEF by Norway and Finland to sensitize the public to the provisions of the new instrument was much appreciated. The Convention on the Rights of the Child must also be further publicized.

6. **Mrs. Aponte de Zacklin** (Venezuela) said that the defence of the rights of the child had always been a matter of priority for Venezuela, and that a sustained effort had been made to bring legislation into conformity with the Convention on the Rights of the Child. In 1998, the law on the protection of children and adolescents had been enacted as part of a set of initiatives designed to guarantee children's right to identity and to improve their social, educational and legal status.

7. A new constitution was being drafted which would accord constitutional status to human rights. Following a dialogue between governmental institutions and civil society on the best means of promoting and respecting human rights, significant conclusions had been drawn regarding the rights of the child. Committees of children and adolescents had been set up in educational centres with a view to awakening their interest and ascertaining their views in the drafting of the constitution, in conformity with article 12 of the Convention.

8. The National Children's Institute, functioning under the Ministry of Labour and the Family, which was responsible for the protection of children in Venezuela, had established a network of community organizations, private companies and local governments to provide services for children and adolescents at high social risk and to strengthen the role of the family.

9. Venezuela was aware that a commitment to children was paramount, and reiterated its support for the work of the United Nations in resolving the problems that afflicted them.

10. **Mr. Husain** (Observer for the Organization of the Islamic Conference (OIC)) expressed the hope that the designation of the first decade of the next millennium as the International Decade for a Culture of Peace and Non-Violence for the Children of the World would be more than symbolic. The question must be asked to what extent the objectives of the Convention on the Rights of the Child had been achieved. As the new millennium commenced, plans at the national, regional and global levels must be carefully reconsidered.

11. OIC and its various affiliated bodies were mindful of the difficulties affecting the majority of the world's children. While recognizing that the solution lay mainly in speedy economic and social development, the relevant OIC forums were focusing on the specific interests of children. Thus, the Twenty-Fourth Islamic Conference of Foreign Ministers, held at Jakarta in December 1996, had called on its member States to pay special attention to the needs of children and women, in particular by establishing periods of truce and corridors of peace and allowing for the passage of relief supplies during armed conflicts; by promoting health services and administering immunizations; and by banning the manufacture, stockpiling, import, export and use of landmines, whose main victims were women and children.

12. The OIC system was consulting and collaborating with the relevant United Nations bodies, including UNICEF, the United Nations Population Fund (UNFPA), the International Labour Organization (ILO) and UNESCO, with a view to harmonizing technical-cooperation programmes undertaken in member States to promote the well-being and healthy development of children. In view of resource constraints, it sought to avoid duplication and to promote optimum complementarity. Recent consultations with UNICEF and UNFPA, although in the early stages, were reason for optimism. He assured the Committee of the complete cooperation of OIC in the realization of those important goals.

13. **Mr. Rahola** (Observer for the International Federation of Red Cross and Red Crescent Societies) emphasized that the right of children to a dignified life started in the family. To safeguard the rights of children, Governments had a duty to create economically just and environmentally sound societies and to provide for the physical and mental security of their peoples and the well-being of families. The success of international efforts depended on the commitment of decision-makers to peace.

14. The International Federation of the Red Cross and Red Crescent Societies believed in action. Its 176 national societies provided assistance to growing numbers of victims of natural disasters and other vulnerable individuals; its efforts at the local level were not always reported by the media. Children accounted for a large proportion of those in need and their welfare should be prioritized and made an integral part of humanitarian-assistance and preparedness strategies. Moreover, the psycho-social rehabilitation of victims of disasters or conflicts should be furthered, especially for children, and the reuniting of families must be a priority. The Red Cross and Red Crescent Movement would also be seeking to improve the health and social status of the world's street children, who currently numbered millions. Furthermore, the impact of economic sanctions on women and children should be monitored and the international community should take corresponding action.

15. **Mr. Alaei** (Islamic Republic of Iran) said that the importance of childhood to the development of individuals made it all the more crucial to pay careful attention to children's concerns. His delegation looked forward to an early conclusion of the draft optional protocols concerning children and urged support for an increase in membership of the Committee on the Rights of the Child.

16. As part of its efforts to implement the Convention, the Islamic Republic of Iran had adopted development goals for children. Recently launched programmes accorded special protection to poor children and orphans. Efforts were also being made to fill legislative gaps regarding the status of children. The Islamic Republic of Iran continued to host a record number of refugees and provide free education and health services to some 100,000 Afghan and 25,000 Iraqi refugee children.

17. It was most alarming that the sale of children had become more profitable even than drug trafficking and that it was now ranked second only to the arms business. The inadequacy of certain domestic legal regimes and response mechanisms was a matter of serious concern. Prevention of child abuse, child pornography and child sex tourism should, indeed, be made a priority on the millennium agenda. The use of children in illegal activities such as drug trafficking was also a matter of international concern. The family, school authorities and drug-control organizations had a special responsibility to keep children and young people away from drug-related crime.

18. In over 50 countries, children in conflict situations were deliberately massacred, caught in the crossfire, orphaned or rendered homeless. The Islamic Republic of Iran therefore attached great importance to country visits by the Special Representative of the Secretary-General for Children and Armed Conflict. Monitoring mechanisms might also be introduced in serious cases of war-torn countries. The international community must take action to stop children being targeted with impunity, particularly in Afghanistan, where the abhorrent treatment of women and children at the hands of the Taliban was of particular concern.

19. Although poverty and lack of education provided fertile ground for the exploitation of children, the main challenge facing the international community was the decline in some societies of moral and spiritual values, the disintegration of the family and the dissemination of sex and violence by the media and Internet.

20. **Mr. Belinga-Eboutou** (Cameroon) said that children in Africa were traditionally cherished. It was only recently, as a result of globalization, negative economic trends and armed conflicts, that children's issues had become problematic and that their very right to life was in jeopardy. Cameroon supported all United Nations efforts in behalf of children, including General Assembly resolution 53/128 on the rights of the child. The draft optional protocols on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict were also welcome. The work of UNICEF to improve the status of African children was particularly appreciated.

21. Cameroon, for its part, was relentless in its commitment to implement the Convention on the Rights of the Child. The continuing high mortality rate of children was of deep concern, as was the impact on children of emerging problems such as HIV/AIDS, drug addiction, delinquency and homelessness. The international community must step up its actions against poverty, which was the root cause of violations of the rights of the child.

22. **Mr. Otunnu** (Special Representative of the Secretary-General for Children and Armed Conflict), commenting on themes raised during the debate, said that his mandate involved protecting children at every stage of an armed conflict: beforehand, in the midst of conflict and in its aftermath. It was vital to respond to the many manifestations of a child's suffering in situations of armed conflict. The international community must respond to similar situations of suffering everywhere.

23. His own role was that of an advocate, catalyst, convenor, cheerleader and facilitator. On the ground, he relied on operational partners to implement the common agenda, to provide his Office with information and to monitor country follow-up to commitments.

24. As part of his mandate, he had sought to further collaboration at a number of levels within the United Nations system and Secretariat, including through bilateral consultations with key partners. He had also made it a priority to develop strong collaboration with regional organizations, non-governmental organizations and communities of faith. The issues and programme for each country visit were shaped in close consultation with the United Nations country team under the overall coordination of the resident coordinator or a special representative. His Office also worked closely with the Committee on the Rights of the Child and collaborated with a number of partners on the issues of small arms and of internally displaced persons. Delegations had an important role to play in translating the rhetoric of collaboration into action.

25. It was to be hoped that his mandate had increased awareness of the situation of children in armed conflict and that such awareness would lead to international outrage and action. It was a question not only of launching, but of realizing an era of application of international norms. He had also sought to raise awareness of the importance of traditional norms providing for the protection of children. It was essential that the protection and welfare of children should be systematically discussed in peace negotiations and incorporated into peace accords, so that children might be a central concern in post-conflict situations. He had also developed initiatives to respond to cross-border issues affecting children and to build local capacities for protection of children and advocacy. While the prerogatives of the various deliberative bodies of the United Nations must be respected, the widespread brutalization of children in armed conflicts should be of central concern to the Security Council, in particular the abominations committed against children as a direct consequence of a breakdown of peace and security. He hoped that the legacy of his efforts would extend well beyond the lifespan of his mandate.

Agenda item 113: Programme of activities of the International Decade of the World's Indigenous People (A/54/487)

26. **Mr. Ndiaye** (Director, Office of the High Commissioner for Human Rights), introducing the item, summarized the report of the Secretary-General on the programme of activities of the International Decade of the World's Indigenous People (A/54/487) and drew attention to the related conference room paper, which would later be issued as A/54/487/Add.1.

27. **Mr. Khanal** (Nepal) said that at the mid-point of the International Decade of the World's Indigenous People, its objectives remained elusive. As a multiethnic, multilingual and multicultural country, Nepal had always supported the efforts of the United Nations system to improve the overall situation of indigenous people, and was aware of the problems and challenge they faced. The Constitution of the Kingdom of Nepal emphasized the promotion of the interests of economically and socially backward groups and communities, and made special provision for their education, health and employment. In its current five-year plan, the Government aimed to eradicate social inequality, poverty and unemployment among the indigenous people. Its long-term policy, on the other hand, involved the creation of an environment that would foster the active engagement of indigenous people and ethnic groups in development.

28. Nationalities made up one third of the total population of Nepal: clearly, national development would not be possible without the knowledge, skills and capacities of such a large segment of the population. The Government had formed a national committee for the development of nationalities, which aimed to empower indigenous people through decentralization, local development and human-resource use and development. It had also encouraged non-governmental organizations and civil society in general to carry out programmes for indigenous people.

29. **Ms. Melba Pria** (Mexico) said that Mexico's cultural diversity was one of its greatest riches and was enshrined in the Constitution. The territory of Mexico held the greatest and most diverse concentration of indigenous peoples in the American continent; they numbered 10 million and spoke over 60 different languages. Each ethnic group had its own organizational structures; some formed tribes and others communities: currently there were no structures that embraced all the speakers of any one language. In addition, each area had its own principle of landownership, collective or individual, which was protected by the Constitution. The regions occupied by indigenous peoples were mostly rural and sparsely settled, requiring great efforts to provide them with services.

30. Such vast diversity ruled out a single approach, and designing public policies constituted a challenge. The Government recognized the historical legacy of inequality, and knew that finding a solution depended on a profound understanding of indigenous life. However, it was confronting the material challenges with firmness and imagination.

31. Various measures had been taken in recent years. A survey of employment in indigenous areas included indicators on occupation, underemployment and employment. The 2000 census, incorporating the concept of self-designation of ethnicity, would provide new knowledge about the sociodemographic characteristics of Mexico's indigenous population. In addition, a national programme for priority regions provided for the coordination of development with the participation of all levels of government and civil society.

32. In addition, a programme for education, health and food, launched in 1997, was designed to assess the causes of poverty and to provide families with tools and skills to develop their capacities. It had helped nearly two million people, most of them in indigenous areas. More than 1.5 million indigenous children had access to basic bilingual and bicultural instruction, and one million textbooks had been published in 40 indigenous languages. Furthermore, there were 24 indigenous radio stations that broadcast programmes in 32 indigenous languages and in Spanish, with an audience of 5 million. Grants were made directly to indigenous community organizations for the implementation of projects in the areas of human rights, the administration of justice, the preservation and dissemination of the country's cultural legacy, and the generation of employment. National efforts to promote the recognition of cultural differences included measures to encourage indigenous people to consult the Government.

33. In keeping with the ILO Indigenous and Tribal Peoples Convention (No. 169), the national legal framework had been reformed in behalf of indigenous peoples, and the Congress was currently examining various constitutional reforms on indigenous rights and culture. Federal laws regarding education, land-holding, the administration of justice, the environment, forestry and authors' rights had been reformed. At the state level, half the country's constituent states had amended their laws to include indigenous participation in political affairs and the administration of justice.

34. A national human-rights programme had been instituted in 1998, with emphasis on the human rights of indigenous peoples. A special public prosecutor's office and a consultation centre for indigenous affairs had also been established. The Government provided various kinds of assistance in judicial proceedings involving indigenous persons.

35. At the international level, Mexico supported the causes of indigenous peoples, including the elaboration of the draft declaration on the rights of indigenous people and the establishment of a permanent forum for indigenous people, which would promote respect and understanding between indigenous and non-indigenous populations. In the view of Mexico, the United Nations must accommodate indigenous realities in its programmes. The denunciation of injustices was not an end in itself; rather, it must become a means of seeking solutions. Respect for indigenous peoples' right to pluralism and self development was one of the international community's greatest challenges. The creation of a new relationship between Government, society and indigenous peoples must be based on respect for their civil, political, economic, social and cultural rights and on peaceful dialogue.

36. **Mr. Petrella** (Argentina) stressed the importance which his delegation attached to indigenous issues. His Government was working to ensure full respect of indigenous rights in the areas of landownership, housing, environment and community property and had made it easier

for indigenous communities to acquire legal status, which would facilitate land ownership. In the area of education, inter-cultural bilingualism was a priority, and since 1993 special programmes had been undertaken to promote respect for indigenous culture, improve access to education and provide scholarships to indigenous students. The rich contribution of indigenous languages to the Spanish spoken in Argentina was widely recognized.

37. A representative of the Mapuche people, co-sponsored by his delegation, had participated in the International Day of Indigenous People held in August 1999 at Headquarters, at which his delegation had made a statement on the debt owed by Argentine society to its indigenous communities. He noted that the constitutional reform of 1994 clearly provided for the respect of the rights of indigenous populations.

38. His delegation would continue to work to strengthen international cooperation to solve the problems of indigenous populations and to support the work of the United Nations system in that context. He would follow with great interest the discussions in the working group on a draft declaration on the rights of indigenous people and supported the early establishment of a permanent forum for indigenous people with the United Nations system.

39. **Ms. Furubjelke** (Sweden), speaking on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden), said that much remained to be done in order to fulfil the goals of the International Decade of the World's Indigenous People. Partnership, the theme of the Decade, was essential to solving the problems facing indigenous peoples worldwide. There was a need to promote good relationships between States and indigenous peoples, based on mutual respect and understanding as well as respect for human rights, and to encourage cooperation among indigenous peoples themselves. The Nordic countries were committed to working at the international and national levels to fulfil the aim of the Decade; she welcomed the report of the United Nations High Commissioner for Human Rights (A/54/487) on the activities of the United Nations system during the first half of the Decade and expressed the hope that the progress would continue.

40. The establishment of a permanent forum for indigenous peoples in the United Nations system would be an important tool for coordination and exchange of information between indigenous peoples themselves as well as between indigenous peoples and States and would strengthen cooperation and avoid duplication in the United Nations system. She therefore welcomed the re-establishment of the ad hoc working group and hoped it would submit concrete proposals on the establishment of a permanent forum by the next session of the Commission on Human Rights. She urged all indigenous peoples and States to participate in the exchange of ideas with a view to elaborating realistic proposals, bearing in mind the idea of partnership.

41. Some progress had been made in drafting a declaration on the rights of indigenous people but many difficult issues remained. She hoped that in forthcoming meetings of the working group both indigenous peoples and Governments would show flexibility and true partnership in agreeing on the substantive provisions of the draft declaration. She reaffirmed the Nordic countries' commitment to work actively with a view to preparing a declaration which contributed to the promotion of the rights of indigenous peoples around the world.

42. The Nordic countries strongly supported the mainstreaming of indigenous issues throughout the United Nations system. They would continue working to alleviate the problems facing the indigenous peoples of the world and she urged agencies that had not yet taken any practical steps in that regard to do so. The Nordic countries would continue to contribute to the Voluntary Fund for the International Decade and to the Voluntary Fund for Indigenous Populations and urged other States to do likewise.

43. The creation of an enabling environment for the respect and preservation of the Sami and Inuit cultures was a common goal for the Nordic countries. Those indigenous peoples had established cross-border cooperation which provided a foundation for the development of their cultures and raised public awareness. Their rights were better protected than ever before. For example, the Sami Parliaments of Finland, Norway and Sweden had agreed in 1997 to institutionalize their cooperation within a new Sami Parliamentarian Council. She also noted that Greenland had enjoyed home rule since 1997 and in addition had two seats in the Danish Parliament.

44. She stressed that the Decade must be a point of departure for the international community in protecting the rights of indigenous peoples and in improving their situation worldwide.

45. **Mr. Luck** (Australia) reaffirmed his delegation's support for United Nations efforts to protect the rights of indigenous peoples, in particular the efforts by specialized agencies to provide practical assistance and improve the coordination and delivery of programmes.

46. One of his Government's key priorities was to put an end to the social and economic disadvantage faced by its indigenous people and, to that end, in August 1999

Parliament had passed an historic motion of reconciliation expressing deep regret at the injustices and trauma inflicted on the indigenous people and reaffirming a commitment to reconciliation as an important national priority. That motion had been well-received by many indigenous leaders.

47. Practical initiatives had also been undertaken. Since the early 1970s the Government had purchased privately owned land for the benefit of indigenous communities and government lands had been transferred to indigenous control. As a result, 15 per cent of the Australian continent was owned or controlled by indigenous people, who represented only 2 per cent of the population. In addition, since 1992, court decisions and complementary legislation had recognized the continuing rights of indigenous people to possess and enjoy their traditional lands.

48. Despite progress in land ownership, however, indigenous people remained the most disadvantaged group within the Australian community in the areas of health, life expectancy, housing, schooling and living conditions. The Government had therefore allocated a record 2.2 billion Australian dollars to indigenous issues in the current financial year, in addition to programmes available to indigenous Australians as members of the general public and to other indigenous-specific funding provided at all government levels. Spending would be concentrated on the key areas of health, housing, education and employment, in accordance with the underlying objective of effecting a shift away from welfare dependency towards economic development and self-reliance.

49. Well-targeted, practical measures had succeeded in improving the situation of indigenous people in areas such as infant mortality, schooling, professional employment and housing, and indigenous communities were involved in the development and implementation of government policies which affected them. For example, the Aboriginal and Torres Strait Islander Commission, the Government's primary adviser on indigenous issues, which controlled half of the Government's annual expenditure in indigenous affairs, was a government department controlled not by a minister but by a popularly elected indigenous board. Hundreds of other indigenous organizations also played a role in the development and implementation of indigenous programmes, and many indigenous communities had local-government powers on land which they owned and controlled.

50. He stressed that reconciliation required an ongoing commitment by indigenous and non-indigenous Australians to work together to bring about a better future for Australia's first people and thereby enrich the nation as a whole. There was unambiguous evidence that the nation was moving towards that goal.

51. **Ms. Boyko** (Ukraine) said that the protection and promotion of the rights of indigenous people and national minorities contributed to the stability of multiethnic societies and to their dynamic and peaceful development. That issue was also directly related to national and regional security and good relations between States.

52. The achievement of the ambitious but realistic goals of the International Decade of the World's Indigenous People would not only solve specific problems faced by indigenous peoples but would also make a substantial contribution to the peaceful coexistence of nations, national minorities and ethnic groups. Success would depend on effective planning, coordination and cooperation between all interested parties. The High Commissioner for Human Rights, as coordinator for the Decade, would have an important role to play.

53. With regard to the main objectives of the Decade, she noted that the working group on the elaboration of a draft declaration on the rights of indigenous people had made some progress but there was still no consensus on a number of principles.

54. Her delegation had always stressed the need to classify ethnic groups in order to facilitate national policies on the rights of national minorities and indigenous people, and believed that the draft declaration should make a distinction between two categories of indigenous groups, those leading a tribal way of life on isolated reservations and those integrated with the rest of society. The declaration should also strictly prohibit any actions that impaired the territorial integrity or political unity and stability of sovereign States.

55. She urged the working group to avoid politicization, and strongly supported the proposal made by the High Commissioner for Human Rights that regional consultations should be held between Governments and indigenous peoples, with the assistance of her Office, to discuss the draft declaration, as part of common efforts to develop a universal and effective document on the rights of indigenous people.

56. Her delegation also supported the establishment of a permanent forum for indigenous people within the United Nations. The ad hoc working group must take into account existing experience and the comments made by Governments, specialized agencies, organizations of indigenous peoples and the Working Group on Indigenous Populations, because only a cooperative approach would permit the establishment of an effective and competent body.

57. She regretted that, although there were several definitions and descriptions of indigenous peoples in various international documents, none of them captured the diversity of indigenous peoples worldwide. Many States therefore tended to look for solutions within the context of their national, constitutional and historical framework and the experience of other countries.

58. Since becoming an independent State, Ukraine had been consistent in safeguarding the rights of indigenous peoples, national groups and citizens, including those that had been harmed by events in the past. Many former deportees and their descendants were returning to their historical birthplaces, and her Government was endeavouring to ensure their smooth and peaceful return and integration into society without infringing upon the rights of existing residents. It hoped that the newly created Consultative Council of Crimean Tatars would contribute to the elimination of obstacles and to a constructive dialogue between the Government and Crimean Tatars for a complete solution to the problems of resettlement of repatriates in the Crimea. She also expressed her gratitude for the cooperation and assistance in that area provided by various international organizations.

59. **Ms. Di Felice** (Venezuela) stressed the importance of the International Decade of the World's Indigenous People as a framework for protecting their rights and increasing awareness not only of their problems but also of their contributions to society. She expressed satisfaction at the progress made by the working group charged with drafting a declaration on the rights of indigenous people. Given the international community's commitment to the objectives of the Decade, efforts must continue in order to reach agreement on how best to guarantee the rights of indigenous peoples, taking into account their diversity as well as historical and legal factors. The working group must therefore show flexibility in its discussions in order to succeed. The establishment of a permanent forum for indigenous people within the United Nations system would be an effective way of increasing the participation of indigenous groups in the activities of the Organization.

60. She took note of the report of the Secretary-General on the programme of activities of the International Decade of the World's Indigenous People (A/54/487) and stressed the important coordinating role played by the Indigenous Project Team in the Office of the United Nations High Commissioner for Human Rights. She also expressed satisfaction at the efforts made by the specialized agencies, financial institutions and operational programmes to improve the living conditions of indigenous peoples, particularly in the developing countries.

61. Noting that national action was essential to ensure the success of the Decade, she said that indigenous issues had long been neglected by policy makers but were now recognized as essential in order to modernize a country, strengthen the rule of law and promote social integration. In Venezuela, there were indigenous representatives in the National Assembly and a new chapter on the rights of indigenous peoples had been added to the Constitution. As part of the creation of a multi-ethnic and pluricultural society in Venezuela, indigenous peoples' social, economic and political organization, culture, traditions, languages, religions, property rights and right to health would be recognized. Indigenous peoples would be guaranteed the right to continue traditional economic activities and to participate in the national economy. The State would guarantee indigenous workers the full benefit of labour laws and would eliminate all discrimination in access to employment and working conditions. Education would be intercultural and bilingual, taking into account sociocultural differences and values. The State would support indigenous cultural activities. Indigenous peoples would also have full political rights, including participation in the National Assembly and in other federal bodies involving them. In return, the indigenous peoples would have a duty to contribute actively to preserving the integrity and sovereignty of the nation.

62. She reiterated her delegation's commitment to the cause of indigenous peoples and stressed that the goal of the Decade must be to strengthen international cooperation in order to resolve the problems of indigenous peoples, and that non-governmental organizations and organizations of indigenous peoples themselves must play a leading role in those efforts.

63. **Ms. Paterson** (New Zealand) said that her country had been encouraged by the progress made in integrating awareness of indigenous issues in United Nations programmes and activities. More needed to be done, however, to ensure ongoing coordination among the agencies, which should intensify their efforts in consultation with indigenous people, including the designation of focal points for coordinating activities related to the International Decade of the World's Indigenous People with the Office of the High Commissioner for Human Rights. New Zealand was actively engaged in the work of elaborating a draft declaration on the rights of indigenous people and of establishing a permanent forum for indigenous people in the United Nations system. While progress towards an agreed draft declaration had been limited, the increased level of participation by States was encouraging. All participants

should intensify their efforts in good faith in order to reach agreement on a declaration by the end of the Decade.

64. In 1996, New Zealand had established a fund to advance the objectives of the Decade, including the promotion of the Maori language and education. A committee of principal Maori organizations had been established to coordinate that effort in consultation with the Ministry of Maori Development. The translation into Maori and distribution of major international human-rights instruments had been an important undertaking. The Government had also recently held a workshop with Maori to discuss the progress made with regard to the draft declaration and the proposed permanent forum.

65. The activities of the Decade should deliver practical results for indigenous peoples. The evaluation of programmes at the mid-point of the Decade was vital, and New Zealand welcomed the report by the High Commissioner for Human Rights in her capacity as coordinator for the Decade. Her delegation welcomed the indications that United Nations agencies were expanding their relationships with indigenous groups, and looked forward to receiving further information on activities undertaken by States and to discussing proposals for making progress in the second half of the Decade. States should give the High Commissioner their full support in that important task, and it was hoped that the review would lay a basis for the remainder of the Decade.

66. There was a need for greater coordination among the specialized agencies. The United Nations system had yet to undertake global public-awareness activities in relation to the Decade. To ensure the implementation of the programme of activities during the second half of the Decade, it was crucial that the High Commissioner should receive adequate funding from the regular budget, necessary administrative assistance and the support of States. Accordingly, she urged all States to allocate resources to contribute to the review and to redouble their efforts to achieve the aims of the Decade in its second half. New Zealand had recently submitted to the Office of the High Commissioner its mid-point review of the implementation of the activities of the Decade. For the remainder of the Decade, particular attention would be given to activities related to indigenous cultural heritage, including the Maori language.

67. **Ms. Ribeiro Viotti** (Brazil) said that her country, in which there were 215 ethnic groups, was committed to the promotion of the rights of indigenous people and was determined to preserve their sociocultural identity and ensure the full enjoyment of their rights, particularly the right to possess land. Land and a sound environment were essential for ensuring healthy conditions for the sustainable development of indigenous populations. Accordingly, the 1988 Constitution had granted indigenous groups "original rights" to the land that they traditionally occupied. More than 11 per cent of the national territory was reserved for the permanent use of Brazil's indigenous population. Three quarters of indigenous lands were now demarcated; and law-enforcement agencies continued to evict gold prospectors and squatters from demarcated areas. That effort had been accompanied by educational and health programmes. Her Government intended to expand those programmes to meet the specific needs of the indigenous population.

68. Brazil attached great importance to the implementation of the programme of activities for the International Decade of the World's Indigenous People and encouraged the relevant agencies to take tangible steps to achieve the Decade's objectives. Her country was not convinced, however, of the need for the establishment of a new forum for indigenous people since broadening the mandate of the Working Group on Indigenous Populations could be a much more sensible alternative. The draft declaration on the rights of indigenous people must be universally acceptable and politically realistic. The distinct historical and legal backgrounds that had determined the relationship between indigenous communities and national societies could not be an excuse for not ensuring the universality of human rights. Creative solutions would have to be worked out on a number of key issues, including the need to ensure respect for indigenous traditions without resorting to concepts that might be construed as ways to impair the territorial integrity of States.

69. **Mr. Nikiforov** (Russian Federation) said that the objectives of the Decade were central to his Government's efforts to protect the rights and interests of its small indigenous groups. The development of federal and regional legislation in that regard was one of the major problems being tackled by the Russian Federation during the Decade. Legislative acts adopted in recent years would make it possible to define the legal field for developing traditional types of economic activity as a basis for ensuring the viability of small indigenous peoples, developing local self-government and establishing relations based on partnership with governmental bodies at various levels.

70. The adoption in April 1999 of a federal law on guaranteeing the rights of small indigenous peoples was of major importance. The law guaranteed the socio-economic and cultural development of those peoples and protected their traditional areas of habitation, way of life and industries. The State Duma was currently considering draft laws on the lands traditionally used by the small indigenous

peoples of the Russian Federation in the North, Siberia and the Far East, and on the general principles for organizing small indigenous communities.

71. Their adoption and implementation would make it possible to initiate a policy based on partnership between the State and indigenous peoples, one of the strategic objectives of the Decade. The partnership strategy would facilitate preservation of their cultural identity, their participation in political affairs, and environmental protection.

72. In September 1999, a meeting of representatives of small indigenous peoples of the North, Siberia and the Far East had taken place in Moscow within the framework of the International Decade. The meeting's final document stressed the importance of the active involvement of indigenous peoples in the building of the country and in ensuring the stable development in the North of traditional and modern means of production, with protection of the inhabited environment. Lastly, he stressed the need to step up work on the draft declaration on the rights of indigenous people and efforts to establish a permanent forum for indigenous people in the United Nations system. Those tasks must be carried out within the framework of the Decade.

73. **Mr. Sfeir-Younis** (World Bank) said that his organization cared deeply about the concerns and future of indigenous peoples and was ready to assist developing countries in addressing such issues as improving the welfare of indigenous populations, protecting their human and natural environments, developing institutions that responded to their needs, combating acute poverty and social instability, and problems associated with land ownership. The progress made during the International Decade had been less than adequate, and there were still too many tasks pending, including the realization of the rights of indigenous peoples.

74. Indigenous peoples had historically been the poorest and most excluded populations in many parts of the world. Sustainable development would never be achieved if societies did not attain cultural sustainability, which was at the root of economic and social progress. Achieving the goals of the Decade required a tremendous political commitment at the national, regional and local levels.

75. The World Bank had been the first multilateral financial institution to introduce a special policy for the treatment of indigenous and tribal peoples in development projects. Any policy on indigenous peoples should be closely linked to development and poverty reduction. There was a need for a much better definition of those who belonged to the category of indigenous peoples, and that definition must be brought about through comprehensive consultations. Legal measures should be taken to protect the rights of indigenous peoples to land and the cultural, religious and sacred values connected with it. Whenever development projects proposed the exploitation of resources on lands owned, occupied or used by indigenous peoples, the latter should be informed of the potential commercial value of such resources and the potential impact on their livelihood.

76. Poverty eradication was fundamental to implementing economic, social and cultural rights, including the right to development. Since resources were limited, compromises would have to be agreed upon to provide health, education and sanitation services. Countries and different groups in society must enhance their ability to implement existing rights. The Bank was making an important contribution in that regard by strengthening justice systems, enhancing participation and social inclusion, and investing in basic social services. The Bank was also fully aware of the multiple roles that land played in the lives of indigenous peoples. Land was not just a factor of production and the means of accumulating wealth. There was a sacred, spiritual and unique relationship between the land and indigenous peoples. The issues of land access, use and management must be addressed within the context of the overall vision that defined the future of indigenous societies.

77. The World Bank's policy relating to indigenous peoples dated back to 1982. In 1991, the Bank had issued a revised policy, expanding the definition of indigenous peoples to include a much wider array of groups that maintained social and cultural identities distinct from those of the societies in which they lived. More than 150 Bank-financed projects worldwide had been identified as affecting indigenous peoples. While, in the past, many of those investments had been in the infrastructure and energy sectors, an increasing number were currently in the fields of education, health, community development, agriculture, natural-resources management and land-tenure security.

78. There was a need for better project design and instruments to reflect the development goals of indigenous peoples. That required a major political commitment at all levels of decision-making, including the support of Governments as well as indigenous peoples. Indigenous cultures and societies must be central to all efforts to promote social inclusion.

79. **Mr. Howell** (International Labour Organization (ILO)) said that ILO had been deeply committed to promoting the rights of indigenous and tribal peoples since the 1920s and actively participated in the Working Group on Indigenous Populations. ILO sought to promote employment and sustainable livelihoods for indigenous and tribal peoples by

adopting and supervising the implementation of formal instruments and through technical cooperation. ILO Convention No. 169 was the most comprehensive instrument of international law for the protection of the right of indigenous and tribal peoples to preserve their own laws and customs within the national societies in which they lived. It established minimum rights which must be respected by the States parties, and had guided a number of Supreme Court decisions in the Americas, illustrating its potential to influence national law.

80. In the context of the International Decade, ILO had undertaken a number of technical cooperation projects and programmes to increase awareness and promote improvements in living and working conditions. In Central America, a three-year project was under way, focusing on the legal empowerment of indigenous peoples through enhanced consultation between indigenous organizations, State institutions and non-governmental organizations at both regional and national levels. Elsewhere in Latin America, ILO projects included the training of indigenous legal promoters on the legislative implications of land use and the training of field staff in practical post-conflict applications of Convention No. 169.

81. With donor assistance, ILO cooperated with Governments, employers and workers' organizations, indigenous and tribal organizations and non-governmental organizations, notably in Asia and southern Africa, to focus attention on politically sensitive issues. ILO also implemented an interregional programme to support the self-reliance of indigenous and tribal communities through cooperatives and other self-help organizations. The programme was being implemented in 10 countries in Asia, Africa and Central America in close collaboration with multilateral, bilateral and private donors.

82. ILO projects supported the strengthening of basic livelihoods, ancestral-domain management, the advancement of the status of indigenous women, resource management, capacity-building, preservation of indigenous culture and the strengthening of local organizations. Since the start of the Decade, those projects had trained many thousands of indigenous and tribal people to help their communities revitalize traditional jobs. By encouraging dialogue and cooperation between Governments and indigenous peoples in policy formation, ILO sought to facilitate harmonious development which also recognized the rich diversity of human experience. He invited Member States to enhance the accomplishments of the Decade by urgently ratifying and implementing ILO Convention No. 169.

83. **Mr. Carranza** (Guatemala) commended those organizations, such as UNDP and ILO, which had begun or had decided to revise their own programmes and policies concerning indigenous peoples in accordance with the specific objectives of the International Decade. His delegation was, however, concerned at the fact that insufficient progress had been made with regard to the adoption of a draft declaration on the rights of indigenous people and the establishment of a permanent forum for indigenous people in the United Nations system. Member States must demonstrate the necessary political will to finish that work before the end of the Decade.

84. It was necessary first of all to define certain basic concepts, such as "peoples", "territory" and "self-determination". With regard to a permanent forum, Guatemala supported the establishment of a forum with a broad mandate for promoting, *inter alia*, coordination within the United Nations system on indigenous questions and functioning as a focal point for questions relating to indigenous peoples.

85. His delegation fully supported the work on the draft declaration and on the establishment of a permanent forum since both fitted in perfectly with those objectives of the peace agreements that concerned Guatemala's indigenous peoples. In that connection, he reiterated his delegation's position that the concept of self-determination should be a fundamental pillar of the declaration and was essential for guaranteeing the rights of indigenous peoples. Guatemala interpreted that concept within the framework of the unity of the State and territorial integrity.

86. His Government had assumed a number of commitments concerning Guatemala's indigenous peoples, which had been undertaken in order to solve problems relating to the environment, development, education and health. The peace agreements had served as a framework for implementing various programmes and laws. In accordance with those agreements, his country had ratified ILO Convention No. 169 in 1996 and, with ILO assistance, had trained field personnel with regard to the practical implications of the Convention. Lastly, he stressed that Guatemala's Indigenous Development Fund and a number of equality commissions were facilitating the efforts of its indigenous groups to solve their own development problems in the cultural, educational and health fields.

Agenda item 115: Right of peoples to self-determination (*continued*)

87. **Ms. de Armas García** (Cuba), introducing draft resolution A/C.3/54/L.27 on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, said that Guatemala and Swaziland had joined the sponsors. The draft resolution once again accorded great importance to the right of all States to the full exercise of national sovereignty and of all peoples to self-determination, in view of the fact that mercenary activities continued to increase and take on new forms.

88. The link between mercenary activities and terrorist acts underscored the importance of strengthening the mandate of the Special Rapporteur of the Commission on Human Rights on the use of mercenaries. The draft resolution, *inter alia*, urged all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries, welcomed the adoption by some States of national legislation that restricted the recruitment, assembly, financing, training and transit of mercenaries, and urged all States to cooperate fully with the Special Rapporteur in the fulfilment of his mandate.

Organization of work

89. **Mr. Alaei** (Islamic Republic of Iran) said that the Islamic Republic of Iran wished to withdraw its amendment to draft resolution A/C.3/54/L.8 on the question of the death penalty (contained in document A/C.3/54/L.30), but reserved the right to resubmit it in due course.

The meeting rose at 1.05 p.m.